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Approved: _____

KYLE A. WIRSHBA

Assistant United States Attorney

Before: THE HONORABLE KATHARINE H. PARKER
United States Magistrate Judge
Southern District of New York

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: UNITED STATES OF AMERICA : COMPLAINT
: :
- v. - : Violations of
: 18 U.S.C. §§ 844(i) and 2
JAMAL DEESE, :
: COUNTY OF OFFENSE:
Defendant. : MANHATTAN
: :
----- x

SOUTHERN DISTRICT OF NEW YORK, ss.:

WEN JIANG J. YAN, being duly sworn, deposes and says that he is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF") in the Strategic Explosive and Arson Response Task Force, and charges as follows:

COUNT ONE
(Arson)

1. On or about August 5, 2018, in the Southern District of New York, and elsewhere, JAMAL DEESE, the defendant, maliciously damaged and destroyed and attempted to damage and destroy, by means of fire and an explosive, a building, vehicle, and other real and personal property used in interstate and foreign commerce and in an activity affecting interstate and foreign commerce, to wit, DEESE ignited a fire in a restaurant located at 616 8th Avenue in Manhattan, New York.

(Title 18, United States Code, Sections 844(i) and 2.)

COUNT TWO
(Arson)

2. On or about August 5, 2018, in the Southern District of New York, and elsewhere, JAMAL DEESE, the defendant, maliciously damaged and destroyed and attempted to damage and destroy, by means

of fire and an explosive, a building, vehicle, and other real and personal property used in interstate and foreign commerce and in an activity affecting interstate and foreign commerce, to wit, DEESE ignited a fire in a train station in New York, New York.

(Title 18, United States Code, Sections 844(i) and 2.)

COUNT THREE
(Arson)

3. On or about August 6, 2018, in the Southern District of New York, and elsewhere, JAMAL DEESE, the defendant, maliciously damaged and destroyed and attempted to damage and destroy, by means of fire and an explosive, a building, vehicle, and other real and personal property used in interstate and foreign commerce and in an activity affecting interstate and foreign commerce, to wit, DEESE ignited a fire in a restaurant located at 18 W. 14th Street in Manhattan, New York.

(Title 18, United States Code, Sections 844(i) and 2.)

COUNT FOUR
(Arson)

4. On or about August 7, 2018, in the Southern District of New York, and elsewhere, JAMAL DEESE, the defendant, maliciously damaged and destroyed and attempted to damage and destroy, by means of fire and an explosive, a building, vehicle, and other real and personal property used in interstate and foreign commerce and in an activity affecting interstate and foreign commerce, to wit, DEESE ignited a fire in a restaurant located at 541 6th Avenue in Manhattan, New York.

(Title 18, United States Code, Sections 844(i) and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

5. I am a Special Agent assigned to the Strategic Explosive and Arson Response Task Force and I have been personally involved in the investigation of this matter. This affidavit is based upon that experience, my conversations with other law enforcement officers and others, and my examination of reports, records, and video footage. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions,

statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

6. Based on my involvement in this investigation, my conversations with law enforcement who were directly involved in the events described below, and my review of reports prepared by law enforcement officers, I believe that from on or about August 5, 2018 up to and including at least August 7, 2018, JAMAL DEESE, the defendant, ignited at least fourteen fires in trashcans at different locations in midtown Manhattan. DEESE set ten trashcan fires in the bathrooms of various midtown restaurants and four trashcan fires at or inside New York Pennsylvania Station ("Penn Station").

7. In particular, I have learned, among other things, the following about the fires set by JAMAL DEESE, the defendant:

a. On or about August 5, 2018 between approximately 4:00pm and 4:35pm, law enforcement received reports of fires in the bathroom trashcans of four midtown Manhattan restaurants, including a restaurant located at 616 8th Avenue in Manhattan, New York ("Restaurant-1").

b. Later, on or about August 5, 2018 between approximately 5:00pm and 5:15pm, law enforcement received reports of trashcan fires at or inside Penn Station. Reports reflect that an individual first ignited a trashcan fire outside Penn Station near the taxi stand, and then proceeded into Penn Station, where he ignited three trashcan fires inside the crowded Amtrak terminal.

c. Video that I examined from Restaurant-1 and one other restaurant captured on or about August 5, 2018 depicts an individual entering and exiting the restaurants at times consistent with the reported fires. In the video from Restaurant-1, the individual is wearing a black hat with a green emblem, white shirt, ripped black pants, and black sneakers with a red lining.

d. I also examined video depicting an individual setting the trashcan fires at Penn Station on or about August 5, 2018. In these videos, the individual is wearing a black hat, white shirt, black pants, and black sneakers.

e. The next day, on or about August 6, 2018 from approximately 4:45pm to 5:15pm, law enforcement received reports of fires in the bathroom trashcans of four different midtown Manhattan restaurants, including a restaurant located at 18 W. 14th Street in Manhattan, New York ("Restaurant-2"), and a restaurant located at

56 W. 14th Street in Manhattan, New York ("Restaurant-3").

f. Video examined by law enforcement from Restaurant-2 and two other restaurants captured on or about August 6, 2018 depicts an individual entering and exiting the restaurants at times consistent with the reported fires. In the video, the individual is wearing a black hat, white shirt, black pants, and black sneakers.

g. On or about August 7, 2018 between approximately 4:45pm and 5:15pm, an individual ignited fires in the bathroom trashcans of Restaurant-3, which had suffered a fire the previous day, and a restaurant located at 56 W. 14th Street in Manhattan, New York ("Restaurant-4").

h. Based on my discussions with law enforcement and review of certain of the above referenced videos as well as my observations of DEESE, I believe that DEESE is the individual depicted in each of the videos captured inside Penn Station and the above referenced restaurants, including Restaurant-1 and Restaurant-2.

8. Based on my involvement in this investigation, my conversations with law enforcement who were directly involved in the events described below, and my review of reports prepared by law enforcement officers, I learned the following about the arrest of JAMAL DEESE, the defendant:

a. On or about August 8, 2018, law enforcement officers canvassing the midtown Manhattan area observed an individual later identified as DEESE wearing a black hat with a green emblem, ripped black pants, and black sneakers with a red lining. Officers watched as DEESE entered into Restaurant-4, which had suffered a trashcan fire on or about August 7, 2018.

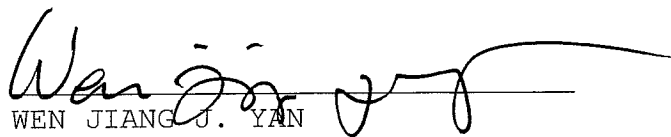
b. Law enforcement followed DEESE into Restaurant-4 and asked to speak with him. In response, DEESE asked, in sum and substance, whether the officers' questions had anything to do with the arsons. The officers placed DEESE under arrest.

c. Following DEESE's arrest, he was transported to the New York City Police Department's Sixth Precinct where DEESE made a voluntary statement to law enforcement. DEESE waived his *Miranda* rights and stated, in sum and substance, that he started fires in midtown Manhattan restaurants and Penn Station.

d. Also following DEESE's arrest, law enforcement seized as evidence the clothing DEESE was wearing when he was

arrested, including a black hat with a green emblem, white shirt, ripped black pants, and black sneakers with a red lining.

WHEREFORE, deponent respectfully requests JAMAL DEESE, the defendant, be imprisoned or bailed, as the case may be.

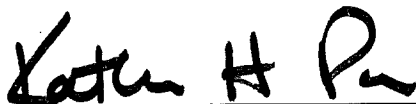


WEN JIANG J. YAN

Special Agent

Bureau of Alcohol, Tabaco,
Firearms, and Explosives

Sworn to before me this
9th day of August 2018



THE HONORABLE KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK